

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

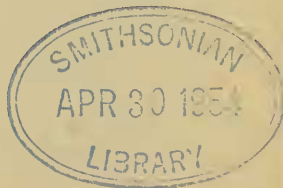
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 223

Suppression, under the Plenary Powers, of the generic name *Teleosteus* Volger, 1860, and of the specific name *primaevus* Volger, 1860, as published in the combination *Teleosteus primaevus* (Class Anthozoa)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 223

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C. Alternate Members of the Commission at the Session held in Paris in 1948

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Professor Robert L. USINGER (*University of California, Berkeley, California, U.S.A.*).

OPINION 223

SUPPRESSION, UNDER THE PLENARY POWERS, OF THE
GENERIC NAME "TELEOSTEUS" VOLGER, 1860,
AND OF THE SPECIFIC NAME "PRIMAEVUS"
VOLGER, 1860, AS PUBLISHED IN THE
COMBINATION "TELEOSTEUS
PRIMAEVUS" (CLASS
ANTHOZOA)

RULING :—(1) Under the Plenary Powers the following names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy : (a) the generic name *Teleosteus* Volger, 1860 ; (b) the specific name *primaevus* Volger, 1860, as published in the combination *Teleosteus primaevus*.

(2) The generic name *Teleosteus* Volger, 1860, is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Name No. 32.

(3) The specific name *primaevus* Volger, 1860, as published in the combination *Teleosteus primaevus*, is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as Name No. 10.

(4) The generic name *Rhipidophyllum* Sandberger, 1889 (gender of name : neuter) (type species, by monotypy : *Rhipidophyllum vulgare* Sandberger, 1889) is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 654.

(5) The specific name *vulgare* Sandberger, 1889, as published in the combination *Rhipidophyllum vulgare*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 33.

I.—THE STATEMENT OF THE CASE

On 1st July 1938 an application by Dr. Adolf Zilch (*Natur-Museum Senckenberg, Frankfurt a. M., Germany*), supported by Professor Rudolf Richter of the same Institution, was addressed to the International Commission on Zoological Nomenclature, asking for the use of the Plenary Powers to suppress the generic

name *Teleosteus* Volger, 1860, a name given to a Devonian tetracoral under the mistaken impression that it was a fossil fish. The following is a translation from the German originals kindly prepared by Dr. Karl Jordan, when President of the International Commission :—

**Proposal to suppress the generic name “*Teleosteus*” Volger, 1860,
and the specific name “*Teleosteus primaevus*” Volger, 1860
(Class Anthozoa)**

By ADOLF ZILCH

(Department of Invertebrate Zoology, Natur-Museum Senckenberg,
Frankfurt a. M.)

Volger, 1860, *Ber. Offenbach. Ber. Naturk.* 1 : 37, described from the Hunsrück-slate of Caub (Lower Devonian, Siegen division) a distinctive fossil as *Teleosteus primaevus*, which he believed to be “the first trace of an osseous fish” found “in the Transition Rocks”. Volger said about this find (: 52): “Everyone who inspects it recognises it at once as the tail-fin, united with the last joints of the spine, of an osseous fish, which shows itself to be a true scaled fish by the strong development of the vertebrae as well as by the absence of any trace of an integumental covering. Moreover, according to this relic, the species is seen to be a perfectly symmetrically forked fish” . . . “This remnant, therefore, is the first and so far the only proof that osseous fishes existed in the Transition Era. Hence, it appears to me provisionally to deserve the name by which I have designated it: ‘der Ur-Gräthenfisch’ (*Teleosteus primaevus*)”. Although Volger preferred “eine treue Abbildung einer auf Grund der Auffassung verdeutlichten Darstellung”, he described this new genus and species as follows :—

Man erkennt drei kräftige Wirbelkörper, ohne eine Spur ansitzender Dornen. Von fächerförmig gestellten platten Knochenstücken an der Wurzel der Schwanzfinne oder von einer plattenartigen Ausbildung eines letzten Wirbels ist nichts zu erkennen. Die Wurzel der Schwanzfinne erscheint ziemlich verdickt und ohne deutliche Spur der Strahlen. Um so schärfer treten letztere auf der ganzen ausgebreiteten Fläche der Schwanzfinne hervor. Man erkennt eine nach hinten zunehmende Zahl von solchen Strahlen . . . Jedenfalls haben wir hier auf dem *Uebergangsschiefer von Caub* den *gleichgabeligen Schwanz* eines *Gräthenfisches* vor uns—und damit eine neue *Thatsache*, welche allerdings berechtigt ist, auf bedeutenden Einfluss zu beanspruchen.

According to Volger’s own statements, eminent contemporaries—like von Rath—saw the specimens, but it was less the systematic

position of the fossil and much more the high geological age of the rocks which was doubted. It was assumed to be, perhaps, a fish-slate from Glarus.

During the preparation of the Catalogue of Types in the Natur-Museum Senckenberg, the original specimen of *Teleosteus primaevus* Volger, 1860,¹ has been found, correctly arranged among the corals of the Hunsrück-slate. It is indeed, in fact, a Devonian tetracoral; it belongs to the same species as that which Sandberger (1889, *Jb. nass. Ver. Naturh.* 42 : 100 pl. 1, figs. 1—4) named *Rhipidophyllum vulgare*.

If the International Rules of Zoological Nomenclature are strictly applied, the species *Rhipidophyllum vulgare* Sandberger, 1889, and the genus *Rhipidophyllum* Sandberger, 1889, will have to receive the names *Teleosteus primaevus* Volger, 1860, and *Teleosteus* Volger, 1860, respectively. As the name "*Teleosteus*" would be misleading for a genus of corals and as, further, Sandberger's designation "*Rhipidophyllum-slate*" (=Hunsrück-slate) is of historical importance, the International Commission on Zoological Nomenclature are asked to make use of its Plenary Powers to suspend the rules and to declare the names *Teleosteus* Volger, 1860, and *Teleosteus primaevus*, 1860, to be unavailable.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, the papers relating to the present case were given the Registered Number Z.N.(S.) 132. It had not been found possible to advance the consideration of the present application by the time that the outbreak of war in Europe in September 1939 led to the evacuation of the records of the International Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, Dr. Zilch's application was

¹ For a figure of the type of *Teleosteus primaevus* Volger, 1860, see Zilch, 1937, *Senckenbergiana* 19 : 431—432.

not actually published until 28th February 1947 (*Bull. zool. Nomencl.* 1 : 228—229).

3. The publication of the present application in the *Bulletin* elicited three comments. These in order of receipt, were :—(1) a letter dated 8th April 1947 from Dr. Th. Mortensen (*Universitetets Zoologisk Museum, Copenhagen*) ; (2) a letter dated 30th October 1947 from the Joint Committee on Zoological Nomenclature for Paleontology in America ; (3) a letter dated 13th December 1947 from Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*). In each of the foregoing letters support was given to the proposal submitted by Dr. Zilch. In addition, there was received a letter dated 19th March 1948 from Dr. Richard E. Blackwelder (*United States National Museum, Washington, D.C., U.S.A.*), expressing the view that the evidence brought forward in this application was insufficient but not commenting upon the application itself.

4. *Comment by Dr. Th. Mortensen (Universitetets Zoologisk Museum, Copenhagen)* : In a letter dated 8th April 1947 Dr. Th. Mortensen (*Universitetets Zoologisk Museum, Copenhagen*) wrote : “*Teleosteus* must be suppressed”.

5. *Comment by the Joint Committee on Zoological Nomenclature for Paleontology in America* : The view of the Joint Committee on Zoological Nomenclature for Paleontology in America on this case was submitted in a letter dated 30th October 1947 from Dr. J. Brookes Knight (*Research Associate, United States National Museum, Washington, D.C., U.S.A.*), who at that time was chairman of the Joint Committee. The following is the text of that letter :—

Proposal to suppress the generic name “*Teleosteus*” Volger, 1860, and the specific name “*Teleosteus primaevus*” Volger, 1860.
(*Bull. zool. Nomen.* vol. 1, pt. 10, p. 228.)

On July 3rd 1947, the Chairman of the Joint Committee on Zoological Nomenclature for Paleontology in America submitted to the membership of the Committee for consideration and approval the following resolution :—

Resolved : That the Joint Committee on Zoological Nomenclature in America support the petition of Adolf Zilch that the generic name *Teleosteus* Volger, 1860, and the specific name *Teleosteus primaevus* Volger, 1860, be suppressed under suspension of the *Règles*.

The vote of the membership was 10 to 1 for approval, Romer, Simpson, Newell, Palmer, Cooper, Moore, Keen, Frizzell, Reeside, and Knight voting in the affirmative and Wells in the negative. Stenzel was away and unable to vote.

The only comment was that of Wells who wrote "I fail to see potentialities for danger to stability although it is rather a silly situation."

In view of the above vote the Joint Committee hereby transmits to the International Commission the Resolution adopted.

6. *Comment by Dr. Joshua L. Baily, Jr. (San Diego, California, U.S.A.)*: The following comment was received from Dr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) under cover of a letter dated 13th December 1947 :—

It would appear wiser to suppress the name *Teleosteus primaevus* Volger, 1860, for the reasons set out in the *Bulletin*, vol. 1, Part 10, pp. 228—229.

7. At Paris in 1948 the International Commission on Zoological Nomenclature suspended its By-Laws for the duration of that Session (1950, *Bull. zool. Nomencl.* 4 : 7—8), and it was in virtue of that decision that the present case was brought before the Commission later during that Session.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

8. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 3) (1950, *Bull. zool. Nomencl.* 4 : 428—430) :—

THE COMMISSION agreed :—

- (1) to use their Plenary Powers :—
 - (a) to suppress the generic name *Teleosteus* Volger, 1860, and the trivial name *primaevus* Volger, 1860, (as published in the binominal combination *Teleosteus primaevus*) ;
 - (b) to validate the generic name *Rhipidophyllum* Sandberger, 1889 and the trivial name *vulgare* Sandberger, 1889 (as published in the binominal combination *Rhipidophyllum vulgare*) ;
- (2) to place the generic name *Teleosteus* Volger, 1860 on the *Official Index of Rejected and Invalid Generic Names in Zoology* ;
- (3) to place the trivial name *primaevus* Volger, 1860 (as published in the binominal combination *Teleosteus primaevus*) on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology* ;
- (4) to place the generic name *Rhipidophyllum* Sandberger, 1889, *Jahrb. nassau. Ver. Naturk.* **42** : 100 (Class Anthozoa) (type species, by monotypy ; *Rhipidophyllum vulgare* Sandberger, 1889), on the *Official List of Generic Names in Zoology* ;
- (5) to place the trivial name *vulgare* Sandberger, 1889, (as published in the binominal combination *Rhipidophyllum vulgare*) on the *Official List of Specific Names in Zoology* ;
- (6) to render an *Opinion* recording the decisions specified in (1) to (5) above.

9. The following are the original references for the names which appear in the decision set out in the immediately preceding paragraph :—

primaevus, *Teleosteus*, Volger, 1860, *Ber. Offenbach. Ber. Naturk.* **1** : 37

Rhipidophyllum Sandberger, 1889, *Jahrb. nassau. Ver. Naturk.* **42** : 100

Teleosteus Volger, 1860, *Ber. Offenbach. Ber. Naturk.* **1** : 37

vulgare Sandberger, 1889, *Jahrb. nassau. Ver. Naturk.* **42** : 100

10. The gender of the generic name *Rhipidophyllum* Sandberger, 1889, referred to in the decision quoted in paragraph 8 above, is neuter.

11. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 112).

12. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

13. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

14. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

15. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

16. The present *Opinion* shall be known as *Opinion* Two Hundred and Twenty-Three (223) of the International Commission on Zoological Nomenclature.

DONE in London this First day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING